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05 UNITED STATES DISTRICT COURT
06 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

07 UNITED STATES OF AMERICA,)
08 Plaintiff,) Case No. CR04-0402-TSZ-JPD
09 v.)
10 FERNANDO CRUZ,) SUMMARY REPORT OF U.S.
11 Defendant.) MAGISTRATE JUDGE AS TO
ALLEGED VIOLATIONS
OF SUPERVISED RELEASE
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13 An evidentiary hearing on a petition for violation of supervised release in this case was
14 scheduled before the undersigned Magistrate Judge on May 16, 2006. The United States was
15 represented by Assistant United States Attorney Patricia Lally, and the defendant by Mr. Robert
16 Gombiner. The proceedings were recorded on cassette tape.

17 The defendant had been charged and convicted of Conspiracy to Distribute Cocaine. On
18 or about September 1, 2005, defendant was sentenced by the Honorable Thomas S. Zilly to a
19 term of eighteen (18) months in custody, followed by four (4) years of supervised release.

20 The conditions of supervised release included the requirements that the defendant comply
21 with all local, state, and federal laws, and with the standard conditions. Special conditions
22 imposed included, but were not limited to, substance-abuse treatment participation, DNA
23 collection; no possession of a firearm or destructive device; mandatory drug testing; not to
24 reenter the United States without the permission of the Bureau of Immigration and Customs
25 Enforcement, and financial disclosure.

26 In a Petition for Warrant or Summons, and a Notice of Violation and Request for Warrant

both dated April 4, 2006, U.S. Probation Officer Todd A. Sanders asserted the following violation by defendant of the conditions of his supervised release:

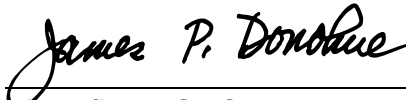
Violation No. 1: Illegally reentering the United States on or before March 14, 2006, in violation of the standard condition that he not commit another federal, state, or local crime.

The defendant was advised of his rights, admitted to the alleged violation,

I therefore recommend that the Court find the defendant to have violated the terms and conditions of his supervised release as to violation No. 1, and that the Court conduct a hearing limited to disposition. A disposition hearing on this violation has been set before the Honorable Thomas S. Zilly on Thursday, June 1, 2006, at 11:00 a.m.

Pending a final determination by the Court, the defendant has been detained.

DATED this 16th day of May, 2006.


JAMES P. DONOHUE
United States Magistrate Judge

cc:	District Judge:	Honorable Thomas S. Zilly
	AUSA:	Ms. Patricia C. Lally
	Defendant's attorney:	Mr. Robert H. Gombiner
	Probation officer:	Mr. Todd Sanders